

**Life and Limb, The Fabulous Career of Melvin M. Belli.** By Robert Wallace. Garden City: Doubleday and Company, 1955. Pp. 250. \$3.50.

**Never Plead Guilty, The Story of Jake Ehrlich.** By John Wesley Noble and Bernard Averbuch. New York: Farrar, Straus and Cudahy, 1955. Pp. ix, 306. \$3.50.

**You May Take the Witness.** By Clinton Giddings Brown. Austin: University of Texas Press, 1955. Pp. 223. \$3.95.

These three books belong to the genre labeled "Biography and Autobiography," and they deal with the lives of living lawyers, rather than with the more customary respectably dead. All three lean heavily on the "case-method" of presenting material in place of conventional linear narrative of the born-married-elected-died pattern. The single autobiography (Brown's) is, however, in a different category than the other two, which may logically be discussed together later on.

The Brown volume is the least spectacular and the most restrained of the trio, perhaps because it is, after all, an autobiography. Mr. Brown recently retired after practicing law in Texas since 1906, largely in the field of accident claims, where, unlike Mr. Belli, he worked *for* the defendant corporations. His career has included a district attorneyship, a mayoralty, war service, and, a long time ago, authorship of a book for boys. But we discover most of these items on the jacket flap, for the author covers his life exclusive of cases in three or four pages. A clue to the plain-folks approach of the book is his statements that *we* should not worry about the year he spent at Harvard and that *he* isn't going to worry about his grammar even though in college he took more courses in English than in any other subject. The personality of the autobiography, with its limitations, is in those statements: rugged simplicity, candor, and a desire to remain one of the boys, Texas-style. Although any lawyer could enjoy and profit from Mr. Brown's experiences, the memoir does have more local than universal appeal and is in slow time compared with the jazzy journalistic tempo of the Belli and Ehrlich "biographies," which seem directed at readers of the present Benzedrine Era rather than those who enjoy the mellowness of reminiscence of a quieter day.

Although Mr. Brown shares with Messrs. Belli and Ehrlich a contempt for ambulance-chasers and a personal pride in picking juries, he does not bask in the same publicity. Only one big name appears in the Texan's memoirs, that of Dr. John Brinkley of goat-gland fame. The other characters are humble folk—an old Negro who killed a white man, a Pullman porter worried about the title to his home, a friend who claimed sentimental value on a dead deer lost in shipment. For all of its leisurely pace the book nevertheless offers the reader mild doses of humor, horse sense, and sentiment in about equally adequate portions. One never has any qualms about modern ethics—an unavoidable reader-reaction to the other two works under review. Since Mr. Brown's autobiography is

largely a string of courtroom stories about people with bad backs suing railroads or streetcar companies and of Mr. B's efforts to minimize the settlement fee (now and then he "got stuck plenty"), and the Wallace-Belli volume is largely about a lawyer who tries to get the most for his client and himself out of similar accident cases, the reader has an interesting pair for contrast.

Perhaps the best quality of Mr. Brown's work is its fundamental decency: "The most important lesson . . . is to value the jury and be an honest man before them." Here Brown's writing comes closer to the old Plutarchian model of biography, a polite portrait with ethical overtones; the Belli and Ehrlich studies will make readers raise an eyebrow now and then, for while their authors are predominantly on the side of their subjects, they are not averse to using the Boswellian approach of showing their man "warts and all." Brown's writing is adequate to the purpose, and no more—little subtlety, almost no art. But for that matter, none of the three books is a "literary" biography in the strict schoolroom sense of the word. The nature of the material, if nothing else, will sell the books on Belli and Ehrlich (the latter is already in its fourth large printing); Mr. Brown hasn't enough glamor for the general reader or enough literary skill to attract metropolitan literary critics—he will appeal to fledgling trial lawyers, particularly in the Southwest, and to those oldsters of the pre-chromium-and-neon era who still like to hear a man spin a good yarn. It is amusing to speculate what would have materialized if Wallace had written about Brown or if Belli had written *his* memoirs.

The story of Belli (pronounced "bell-eye") is already a modern fable. And Mr. Wallace has cashed in on it before (*Life*, Oct. 18, 1954, under title "King of Torts," illustrated). Born in California in 1907, with a Berkeley background as undergraduate and law student, Belli has rocketed to the top of his profession publicity-wise on the strength of his extraordinary success in the field of accident claims. Distinguished by his love of practical jokes and fondness for flashy cuff links (here Ehrlich outdoes him), Belli has worked for the "adequate award" to a point where insurance companies quail and reporters jump at his name. This phenomenon in the field of "demonstrative evidence" has developed a technique of grisly exhibits and practical knowledge of medicine to a point where some find it hard to tell whether he is a knight in shining armor or an ogre galloping off with the ravished tradition of decorum. Mr. Wallace alternates description of cases with a simplified exposition of the law and precedents involved. Actually Wallace and his confrères Noble and Averbuch waste little time on straight biography: parts of two chapters in each volume are devoted to pure encyclopedic fact while the main body of discussion is given over to documented case histories. As opposed to Sandburg on Lincoln or Freeman on Lee's Lieutenants, Wallace, Noble, and Averbuch do not indulge in true research—a mark of the best scientific and literary biographies of our time—but confine themselves pretty well to the exhausting leg and seat work involved in reading old newspaper files and court records, a limited field for a true portrait in the

tradition. The result is a character projection with a movie-like quality. Mr. Wallace achieves a unity of effect which makes his biography a little bit the best of the three under review; and while both he and the Ehrlich team are capable journalists with a slick and competent style, there is hardly a doubt about the transience of their work. At the end of *Life and Limb*, which, like *Never Plead Guilty*, is a book hard to put down, one is left wondering whether the true Belli is the man who regularly pockets 33% contingent fees of astronomical proportions or the indefatigable speaker with a coast-to-coast itinerary who somehow found time to compile the compendious *Modern Trials*, a 3-volume opus which should last longer than *Life and Limb*. This is not to say that Wallace, Noble, and Averbuch did not know what they were doing when they did it; it is difficult to write of living people, the woods are too close for the trees to be seen, and the comfortable assurance of an audience fifty years from now must be postponed in favor of the flash-effect of the moment—and let no one doubt the dramatic effect of the “life” of Melvin Belli or the “life” of Jake Ehrlich.

The story of Ehrlich is another modern fable, more fabulous at times than the legend of Belli. Reading of either is a constant reminder that mythology has not perished in civilized times. Like Belli, Ehrlich works “out of,” as they say in pugilistic circles, San Francisco, but it took a while for him to get there. Born near Washington, D.C., Ehrlich chased (some years later) Pancho Villa, studied law at Georgetown, rode the rails, saw action in World War I, tried everything from prize-fighting to delivering trunks, and, like Belli, showed enough personal charm and ability to expedite friendships to a point where charm paid off. Damon Runyon could offer no more colorful backdrop for the career of a rising young man. As of 1954 Ehrlich had a record of 55 murder cases without a first-degree conviction. The score: acquittal, 41; manslaughter, 12; second degree, 2.

Noble and Averbuch, like Wallace, are newspapermen and reporters. Ehrlich, like Belli, is a cuff link fancier—mention is made of links shaped like dice boxes, the tablets of the Ten Commandments, handcuffs, Chihuahua dogs, Ted Lewis' hat and cane, etc., etc. One set bore the blessing of the Pope. (Ehrlich is a Jew, and Belli isn't sure, apparently, what he is.) One won't forget those cuff links, gifts from celebrities and people of power, for a long time, any more than one will soon forget the artificial limb wrapped in butcher paper which Belli brought to court during an amputation case. These men worship effect and consequently make effect wherever they go. To have impact power is one mark of genius, we are told. Little wonder that some of the impact struck Messrs. Wallace, Noble, and Averbuch, and that they successfully transmitted its force to the reader. The list of clients defended by Ehrlich against many types of charges is a *Who's Who* of the front pages—Alexander Pantages, Fritz Weidemann, Gene Krupa, Sally Rand, Billie Holliday, and the rest parade before the TV-eye of the authors with a name-power not to be denied. As for Belli, one agrees that many injured in the past should have had more compensation, and wonders at the same time whether some moderns have not been overpaid; as for Ehrlich, one

shares his sympathies with the truly "rigged" and downtrodden and yet wonders how many doubtful characters got off on cleverly detected technicalities. A reviewer, of course, should soft-pedal judgment on the ethics of showmanship of the subjects of biographies, leaving such judgment to the curious reader; in the case of these particular volumes, however, subject matter and over-all writing effect are sometimes inextricably tangled and to separate moral from esthetic appraisal is often difficult.

Under reasons for reading biography and qualities a biography should have, the writing of Brown, Wallace, Noble, and Averbuch would qualify on many counts: human interest, drama, anecdotes, aliveness, and so on. There are even lessons to be drawn, though the codes are modern codes in two of the books, uncomfortable at times. The writing generally is competent or better, informal, journalistic, non-literary. This is modern writing about modern people for modern readers. The great legal biographies—the studies of Marshall and Holmes that every lawyer knows—are not going to be displaced by the new brisk reporting jobs. There is room on the shelf for the traditional and the new, a time for one and a time for the other. On most counts these three volumes acquit themselves adequately or better. They most certainly are not dull reading.

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**The Public Philosophy.** By Walter Lippmann. Boston: Little, Brown & Co., 1955. Pp. 189. \$3.50.

This book is indisputably a tract for the times. It states a disorder to be found at the very center of free government, and it proposes a remedy for the restoration of order. This disorder is not a superficial maladjustment nor a fleeting muddle, it goes to the heart of the matter, and the author identifies it with a process he calls "The Decline of the West." To arrest these distempers and to remove the causes of present discontents, Mr. Lippmann, recognizing that tinkering with, or repairs to, the machinery of government are not enough, proposes a political philosophy which he calls "The Public Philosophy." Hence the form of the argument requires that the philosophy be commensurate with and relevant to the disorder, while the test of the argument lies in the equivalence between the discord described and the vigor and cogency of the proposed restorative. Nothing less than "thoughts that breathe and words that burn" can reverse "The Decline of the West."

The fracture in the institutions of the West that brought on its present perils appeared during the First World War, and was revealed in what the author calls, "The Paralysis of Governments."<sup>1</sup> This is nothing less than an incapacity in foreign affairs, where government is unable to "wage war for

<sup>1</sup> P. 13.